

Call to Order:

The meeting was called to order at 7:32 p.m. Present were Chairman, Paul Salafia, and members, Linn Anderson, Vincent Chiozzi, Joan Duff, John McDonnell, and associate member Mark Yanowitz (arrived at 7:44 p.m.) ; also present was Paul Materazzo, Director of Planning, Lisa Schwarz, Senior Planner, and Jacki Byerley, Planner.

Arbor Lane:

The Board opened the public hearings that were continued from the Apr. 13th meeting on an application by Fieldstone Meadows Development Corp. for a Definitive Subdivision Plan and a Special Permit for Earth Movement entitled Arbor Lane located at Acorn Drive and Clark Road. Jacki Byerley reviewed her memo to the Board dated May 3, 2010 and noted that the applicant has satisfied DPW's comments. Ms. Anderson asked if there would be any additional lots in the future. William MacLeod of Andover Consultants representing the applicant noted there is not enough frontage on the street (Arbor Lane) and the street would have to be extended to get another lot.

On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to close the public hearings on an application by Fieldstone Meadows Development Corp. for a Definitive Subdivision Plan and a Special Permit for Earth Movement entitled Arbor Lane located at Acorn Drive and Clark Road until May 11, 2010 at 7:30 p.m. **Vote** Unanimous (5-0)

Planning Session:

Mr. Materazzo updated the Board on Form Base Code and noted if the members want to come into the office to review it he can answer any questions they may have. He also noted it will be available on-line in the next few weeks and suggested the Board members review it prior to the June 8th Tri-Town Planning Boards meeting in Wilmington. Ms. Byerley stated that the Form Base Code is better for developers because they will know the rules up front for development on the I-93 area. Mr. McDonnell asked if each community would be looking at the same plan. Mr. Materazzo reviewed some of the aspects of the Form Base Code and the map of the I-93 area.

Mr. Materazzo reviewed town meeting results and the approval of the Stretch Energy Code which will provide grant money for municipal projects.

Faith Lutheran Church:

The Board opened the discussion that was continued from the Mar. 30th meeting on an application by Faith Lutheran Church of Andover, Inc. for a Site Plan Review for the construction of an addition to the existing facility located at 360 South Main Street. Ms. Byerley reviewed the applicant's request to continue the site plan review without discussion until after their meeting with Conservation Commission on May 18th. On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to continue the public meeting on an application by Faith Lutheran Church of Andover, Inc. for a Site Plan Review for the construction of an addition to the existing facility located at 360 South Main Street without discussion until May 25, 2010 at 8:00 pm. **Vote** Unanimous (5-0)

Pine Forest Park:

The Board opened the public hearings that were continued from the Mar 30th meeting, on an application by Angelo Petrosino for a Definitive Subdivision Plan and a Special Permit for Earth Movement associated with an 11-lot subdivision entitled Pine Forest Park. The site of the proposed subdivision is in Andover, with primary access to the site from Flash Rd., North Reading. Ms. Byerley reviewed her memo to the Board dated May 4, 2010. Luke Roy, of O'Neill Associates representing the applicant, noted that he has received comments from the Fire Protection Peer Consultant. Mr. Roy stated that he has submitted a response letter and has incorporated those comments in the plans. Ms. Byerley stated that revised plans have not been submitted to the Planning Department, and the peer reviewer will have to respond to the plans and applicant's response letter. Mr. Roy reviewed the revised plan for the emergency access off of Sorrento Circle and noted the new access is a shorter travel distance for Andover's emergency response vehicles. Mr. Roy also stated that a fence would be installed on lot 1 to prevent parking, and noted that based on a letter from DPW dated 2001 that DPW would maintain the emergency access from Route 125. Mr. McDonnell noted that the Town of Andover does not plow 125. Mr. Roy reviewed the applicant's status with MASS DOT. Plans have gone out to departments, there were no objections except with the Environmental Section, and Mr. Roy expects that they should have something in writing in 2 weeks. Ms. Byerley noted that she is confused about which plan the State is looking at. Mr. Roy stated that he has described the last revision to Mass Highway and they say it's ok. Mr. McDonnell noted that Mass Highway provides you with the right to access over a way by a station. The Board was concerned that Mass Highway may be reviewing and referring to a prior plan instead of the plan currently before the Board. Mr. McDonnell would like the applicant to submit the application they submitted to Mass Highway to the Planning Staff. He also questioned the radius for fire safety to access opening, and asked if the applicant is providing an easement over the access to North Reading residents. Attorney Thomas Mullen, representing the applicant, noted he has submitted the HOA documents and Town Counsel has reviewed them. Mr. McDonnell disclosed that his mother lives in North Reading on Algonquin Rd., and he feels that the emergency access is dangerous and No. Reading should be working with the applicant to improve the emergency access for the safety of its residents. Ms. Anderson asked if the emergency access would be used if there was no flooding. Mr. Roy noted it's only an alternative access. The Board wants the emergency access to be primary access for all emergency vehicles and permit residents of No. Reading the ability to use the access if flooding occurs. Robert Cyr of 5 Travelled Way, No. Reading stated that he does not want to see any housing being built and thinks the land should be donated to Conservation. Charles Piscatelli of 1 Flash Rd. noted the residents do have access easements in their deeds over the applicant's property. Thomas Dupuis of 98 Old Andover Rd. asked how the police would provide an active police patrol for the area, and if the patrol would access the site through the emergency access or through North Reading. Ms. Anderson requested the applicant submit Fire and Police response times and incidents for the past several years. On a motion by Ms Anderson seconded by Ms. Duff the Board voted to continue the public hearings on an application by Angelo Petrosino for a Definitive Subdivision Plan and a Special Permit for Earth Movement associated with an 11-lot subdivision entitled Pine Forest Park located off Flash Rd. until June 22, 2010 at 7:30 p.m. **Vote** Unanimous (5-0)

1-7 Main Street:

The Board opened two public hearings on an application by Channel Building Company representing the property owner R. Thomas Belhumeur, for a Special Permit for Major Non-Residential Project and a Special Permit for a Change in Parking Space Requirements. Chairman Salafia reviewed the Planning Board's meeting procedures with the applicant and the audience. Thomas Belhumeur, the property owner, gave a brief overview of the proposed project and handed the Board a letter from Father Peter Gori of St. Augustine Parish allowing him to utilize 30 parking spaces at the end of Brook Street and Essex Street and a map from Channel Building Co. dated May 4, 2010 which outlined the proposed site management plan for construction activities. Rob Bramhall, of Rob Bramhall Architects representing the applicant, gave the Board updated elevation plans dated May 11, 2010. He gave an overview of the proposed project including the proposed renovation of the existing building, the issue of handicap accessibility, and he addressed the location of the building and its identity as a focal point in the downtown area. He also gave a detailed description of the proposed 3rd story addition; the potential for signage on all three levels and reviewed the heights of surrounding buildings. Mr. Bramhall reviewed the building materials that would be used on the building. Mr. Bramhall explained that the Design review Board had approved the plans. Chairman Salafia asked if the applicant has gone to the Preservation Commission. Karen Herman, Chair of the Preservation Commission, noted that she attended both IDR's but had not seen this plan before. She stated that the Preservation Commission would like to look at the current plan and make comments to the Planning Board. Ann Constantine, Chair of Design Review Board, noted that Board member Craig Gibson is the liaison to the Preservation Commission, however there was a conflict because Mr. Gibson works for Rob Bramhall and he recused himself from the meetings. John McArdle, owner of 9-11 Main Street, noted there is an access door to the basement of his building in the rear and he wants to make sure that there is continued access. He noted that he has had conversations with Mr. Belhumeur and they will be installing a ramp in the rear so that he will be able to continue to have access to the basement. Ms. Schwarz noted that DPW is looking for a grading plan of the sidewalk. Mr. Bramhall submitted one set of plans for the grading of the sidewalk and reviewed that plan. Ms. Schwarz reviewed her memo to the Board dated May 5, 2010 which included comments from the IDR, and the special permit for parking. Chairman Salafia reviewed the Special Permit for Change in Parking requirements and what the applicant needs to submit. Shawn Knightly, project manager with Channel Building Co., representing the applicant, gave an overview of the dumpster location in the parking lane on Main Street. Mr. Belhumeur noted everything would be staged, wrapped and done in phases. Mark Kneeland, of Channel Building Co., representing the applicant, gave an overview of the proposed construction sequence and noted that their intent is to fill the dumpster at night or early in the morning. Cathleen Hauer, of 4 Hazelwood Circle, questioned the parking, awnings, and stated that she is opposed to a 3rd floor because she feels it will be less inviting. Ms. Constantine reviewed the DRB's memo to the Board dated May 11, 2010 and stated that she wants the Board to condition their approval to explicitly require the design elements outlined in the memo. She also asked the Board to condition the internal lighting. The Board noted they would look at the sign by-law. On a motion by Ms. Anderson seconded by Ms. Duff the Board voted to continue the public hearings on an application by Channel Building Company representing the property owner R. Thomas Belhumer, for a Special Permit for Major Non-Residential Project and a Special Permit for a Change in Parking Space Requirements until May 25th at 8:15 p.m. **Vote Unanimous (5-0)**

Ms. Duff stated she was recusing herself from the Reynolds St. discussion and left the meeting after the vote for 1-7 Main Street.

Reynolds Street:

The Board took up the deliberations on an application by James and Bernadette Lyons requesting the Board to rescind the approval for the subdivision known as Reynolds Street. The Board reviewed Ms. Byerley's memo to the Board dated May 7, 2010. Ms. Anderson handed out a draft revised memo dated May 11, 2010. Ms. Byerley noted on the last page, last paragraph, 2nd sentence of Ms. Anderson's memo she forgot the word "not" after the word "have". Ms. Anderson noted that she would revise the draft memo and resubmit at the May 25th meeting. The Board discussed the memos, the laws and the merits of the petition before the Board.

Minutes:

On a motion by Ms. Anderson seconded by Mr. McDonnell the Board voted to approve the minutes for January 26, 2010. **Vote** Unanimous (4-0)

Adjournment: The Board voted to adjourn the meeting at 10:26 p.m.